



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING October 6, 2009 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Marty Blum called the meeting to order at 2:02 p.m. (The Ordinance Committee met at 12:00 noon. The Finance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Blum.

ROLL CALL

Councilmembers present: Iya G. Falcone, Dale Francisco, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: Roger L. Horton.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS

1. Subject: 2009 Annual Charitable Giving Campaign (170.01)

Recommendation: That Council receive a report from the Chairperson on the City's 2009 Annual Charitable Giving Campaign.

Documents:

October 6, 2009, report from the Public Works Director.

Speakers:

- Staff: Public Works Director Christine Andersen.
- Santa Barbara United Way: President Paul Didier.

By consensus, the Council received the report.

2. Subject: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through October 31, 2009.

Documents:

October 6, 2009, report from the Administrative Services Director.

Speakers:

Staff: City Administrator James Armstrong, Award Recipients Steven Faulstich and Michael Moses.

By consensus, the Council approved the recommendation. The following employees were recognized:

5-Year Pin

Brenda Beltz, Community Development

Jose Latorre, Police

10-Year Pin

Traci Alvarez, Public Works

Calli Marquez, Public Works

Barbara Carey, Library

Sharon Staufenberg, Parks and Recreation

Nancy Rapp, Parks and Recreation

Elizabeth Williamson, Waterfront

15-Year Pin

John Williams, Police

Tara O'Reilly, Library

Matthew Donahue, Airport

20-Year Pin

Janette Carr, Community Development

Freda Markowitz, Parks and Recreation

25-Year Pin

Ida Morozowsky, Finance

Steven Faulstich, Community Development

Michael Moses, Fire

Fernando Rodriguez, Police

30-Year Pin

John Kattai, Police

Myra Nicholas, Library

PUBLIC COMMENT

Speakers: Mayor Blum made comments regarding the upcoming City election. Other speakers were Darlena Moore; Wayne Scoles; Philip Wyatt; David Daniel Diaz; Ruth Wilson; Jack Wilson; Ralph Fertig, Santa Barbara Bicycle Coalition; Tony Vassallo; AIE (Kate Smith).

CONSENT CALENDAR (Item Nos. 3 – 12)

The titles of the resolution and ordinances related to Consent Calendar items were read.

Motion:

Councilmembers House/Falcone to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote (Absent: Councilmember Horton).

3. Subject: Agreement For Surface Water And Groundwater Monitoring (540.10)

Recommendation: That Council authorize the Public Works Director to execute a joint funding agreement with United States Geological Survey (USGS) for water resources investigations related to surface water and groundwater measurements for the period of November 1, 2009, through October 31, 2010, with a City cost share not to exceed \$109,100.

Action: Approved the recommendation; Agreement No. 23,214 (October 6, 2009, report from the Public Works Director).

4. Subject: Resolution To Establish An Easement For Cacique Street On City Property Between Highway 101 And Milpas Street (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Dedicating an Easement for Public Street and All Related Purposes on the Portion of Cacique Street Previously Vacated by Resolution No. 89-114, Owned by the City of Santa Barbara, Santa Barbara County Assessor's Parcel No. 017-251-018, for the Undercrossing of Cacique Street at State Highway 101 Between Milpas Street and Alisos Street.

Action: Approved the recommendation; Resolution No. 09-082 (October 6, 2009, report from the Public Works Director; proposed resolution).

5. Subject: Adoption Of Ordinance For 2030 Las Canoas Road Annexation (680.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 (Zone Map) of Title 28 of the Municipal Code Pertaining to the Zoning of Certain Real Property Upon Annexation to Assessor's Parcel Number 021-030-039 located at 730 Las Canoas Place.

Action: Approved the recommendation; Ordinance No. 5502.

6. Subject: Adoption Of Ordinance Concerning Undergrounding Utilities And Time Limits To Rebuild Nonconforming Properties Damaged Or Destroyed In Natural Disasters (530.07)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 22.38.050 of the Santa Barbara Municipal Code Regarding Utility Undergrounding Requirements in Connection with Construction Projects, and Amending Section 28.87.038 of the Municipal Code Regarding the Reconstruction of Nonconforming Buildings Damaged or Destroyed by Natural Disasters.

Action: Approved the recommendation; Ordinance No. 5503.

7. Subject: Receipt Of Energy Efficiency And Conservation Block Grants (630.06)

Recommendation: That Council:

- A. Authorize the receipt of American Reinvestment and Reinvestment Act (ARRA) grant funds totaling \$868,200 through the Energy Efficiency and Conservation Block Grants (EECBG) program;
- B. Increase appropriations and estimated revenues by \$818,200 in the Intra-City Services Fund for the portion of the grant to be used for energy efficiency and conservation projects;
- C. Increase appropriations and estimated revenues by \$50,000 in the General Fund, Community Development Department, budget for the portion of the grant to be used for a Climate Action Plan;
- D. Authorize the Public Works Director to execute a contract with AG Mechanical Engineers for an amount not to exceed \$75,230 for the design of standard Heating, Ventilation and Air Conditioning (HVAC) systems and control systems to be used for all City facilities; and
- E. Authorize the Public Works Director to have Change Order authority of up to \$20,000 for extra services of AG Mechanical Engineers that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract No. 23,215 (October 6, 2009, report from the Public Works Director).

8. Subject: Golf Course Safety Improvement Master Plan (570.02)

Recommendation: That Council approve a change order of \$10,000 for the Golf Course Safety Improvement Master Plan agreement with Cupp Design, contract number 21,631, negotiated in March 2005 in the amount of \$150,000, to cover any cost increases that may result from extra work.

Action: Approved the recommendation (October 6, 2009, report from the Parks and Recreation Director).

9. Subject: Set A Date For Public Hearing Regarding Appeal Of Planning Commission Approval For 1900 Lasuen Road (640.07)

Recommendation: That Council set the date of November 10, 2009, at 6:00 p.m. for hearing the appeal filed by Trevor Martinson of the Planning Commission approval of an application for the El Encanto Hotel and Garden Villas property owned by Orient Express Hotels, Trains & Cruises and located at 1900 Lasuen Road, Assessor's Parcel No. 019-170-022, R-2/4.0/R-H Two-Family Residential/4 Units per Acre/Resort-Residential Hotel Zones, General Plan Designation: Residential, 3 Units per Acre. The project is a revision to the approved El Encanto Hotel Revised Master Plan and consists primarily of revisions to the design of the northwest corner of the project site. The proposal includes three one-story cottages above an underground valet parking garage. The discretionary applications required for the project are Modifications and a Transfer of Existing Development Rights.

Action: Approved the recommendation (September 21, 2009, letter of appeal).

NOTICES

10. The City Clerk has on Thursday, October 1, 2009, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
11. Cancellation of the regular Redevelopment Agency meeting of October 6, 2009, due to a lack of business.
12. A City Council site visit is scheduled for Monday, October 12, 2009, at 1:30 p.m. to the property located at 1642 and 1654 Calle Canon and 2418 Calle Montilla, which is the subject of an appeal hearing set for October 13, 2009, at 2:00 p.m.

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Das Williams reported that the Committee resumed its discussion of possible amendments to the Medical Cannabis Dispensary Ordinance. The Committee has finalized certain recommendations for the ordinance's revision but will continue to discuss other aspects before submitting the issue to Council.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

13. Subject: Annual Performance Management Program Report For Fiscal Year 2009 And Comparative Indicators Report (170.01)

Recommendation: That Council:

- A. Receive a status report on the City's performance management program and a summary of department performance highlights for Fiscal Year 2009; and
- B. Receive a report on how the City of Santa Barbara compares with other California communities on key indicators.

Documents:

- October 6, 2009, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: City Administrator James Armstrong, Administrative Analyst Lori Pedersen.

Councilmember Falcone left the meeting at 3:01 p.m. and returned at 3:17 p.m.
Councilmember Williams left the meeting at 3:06 p.m. and returned at 3:13 p.m.; he left again at 3:26 p.m. and returned at 3:32 p.m.

By consensus, the Council received the reports.

PUBLIC WORKS DEPARTMENT

14. Subject: Authorization To Terminate The Green Mobile Home Park Encroachment Permit (330.10)

Recommendation: That Council:

- A. Authorize and direct the Public Works Director to terminate a portion of the Encroachment Permit, Agreement No. 16,786, Ordinance No. 4788, for the Green Mobile Home Park (Park), from 120 feet south of Punta Gorda Street to Highway 101, effective September 1, 2010, in accordance with the terms of the Agreement; and

(Cont'd)

14. (Cont'd)

- B. Authorize the Public Works Director to terminate the remainder of the Encroachment Permit effective September 1, 2011.

Documents:

- October 6, 2009, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Assistant Public Works Director/City Engineer Pat Kelly, City Attorney Stephen Wiley, Housing Programs Supervisor Steven Faulstich.
- Members of the Public: Dennis Merenbach, Attorney representing the Green Mobile Home Park; Mario Hernandez.

Motion:

Councilmember Francisco/Mayor Blum to approve the recommendations and request that the City Housing Authority put the displaced residents at the top of all housing waiting lists for which they meet the qualifications.

Vote:

Unanimous voice vote (Absent: Councilmember Horton).

RECESS

4:47 p.m. to 5:05 p.m. Councilmember Williams was absent when the Council reconvened.

PUBLIC HEARINGS

15. Subject: Appeal Of The Single Family Design Board Approval For 2105 Anacapa Street (640.07)

Recommendation: That Council deny the appeal of Tony Fischer on behalf of the Friends of Upper-Anacapa Street, and uphold the Single Family Design Board (SFDB) Preliminary Approval of the application of Barbara E. Matthews for the proposed demolition of an existing single-family residence and detached garage and construction of a two-story single-family residence and attached garage.

Documents:

- October 6, 2009, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- September 23, 2009, letter from Richard Monk, Attorney representing the Applicant.

(Cont'd)

15. (Cont'd)

Documents (Cont'd):

- October 3, 2009, letter from Donna Blakemore.
- October 5, 2009, letter from Jean Hall.

Public Comment Opened:

5:06 p.m.

Speakers:

- Staff: Planning Technician Tony Boughman.
- Single Family Design Board: Chair Bill Mahan.
- Appellant: Tony Fischer.
- Applicant: Architect Britt Jewett, Attorney Richard Monk.
- Members of the Public: Frank Kelly, Dorothy Ludington, Mina Goena-Welch, Sarah Dobbs, Billie Maunz, Kathy Morales, Martin Morales, Oscar Hensgen, Sarada Lewis, Christine Boesch, Chuck Maunz.

Public Comment Closed:

6:19 p.m.

Motion:

Councilmembers Falcone/Schneider to approve the recommendation.

Vote:

Majority voice vote (Noes: Councilmembers Francisco, House; Absent: Councilmembers Horton, Williams).

ADJOURNMENT

Mayor Blum adjourned the meeting at 6:41 p.m. to Monday, October 12, 2009, at 1:30 p.m. at 1642 and 1654 Calle Canon and 2418 Calle Montilla.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

_____ ATTEST: _____	
MARTY BLUM MAYOR	SUSAN TSCHECH, CMC DEPUTY CITY CLERK